

Section IV - Administrative Policy and Procedure

Benefit Issuance

- **Electronic Eligibility Interface**

Once CTS eligibility is determined by a local agency worker using the CARES system, the names, payment months and SSNs of CTS eligible parents and children are transmitted by the CARES system to the DHFS SSI program. Data processing for the SSI program is performed by a firm under contract to DHFS. The current provider is EDS, a firm that also manages the data for eligibility and provider certification for Wisconsin's Medicaid program.

The transmission of CTS eligibility data from CARES to the SSI program is referred to as an *interface*. Data is interfaced twice per month from CARES to the SSI program. The initial interface occurs immediately after CARES processes eligibility for all programs of assistance for the following month (CARES adverse action date). A second interface occurs on the last date possible in order to have CTS benefits included in the first of the month SSI payment received by the SSI eligible parent (CARES benefit issuance pull-down date).

Although the CTS data interface occurs twice per month, local agency workers can determine and confirm CTS eligibility on any day of the month. The CARES system holds the information on file until the next scheduled interface date. An example of a typical monthly interface schedule may be seen in Illustration 3, CTS Interface Timeline.

CTS payments are made on the first of the month for that month. When a local agency worker confirms eligibility for CTS for the following month prior to the second monthly interface date, the CTS payment will appear on the SSI parent's SSI payment on the first of the next month. However, if a local agency worker confirms eligibility for any month after the second interface date, the CTS benefits will remain on file in the CARES system, awaiting the first interface in the following month.

- **Manual Benefits**

With two exceptions, the SSI program will always accept the interfaced information and add any CTS benefits to a SSI recipient's payment. These two exceptions are:

1. When there is no record of the parent's eligibility for SSI in Wisconsin at the State SSI Program.
2. When the CTS parent's state SSI payment has been suspended due to lack of current address or when the representative payee for the SSI payment is changing.

When the first exception occurs, the SSI program will contact the local agency worker regarding the discrepancy. These instances should be very rare, since the local agency worker has several tools available to verify SSI eligibility in Wisconsin and the CARES system regularly receives automatic updates of SSI eligibility information. When the second exception occurs, the payment will remain on file and will be dispersed to the parent when the suspension is cleared.

Due to a limited set of circumstances, an electronic interface of CTS eligibility and payment information is not possible. One such situation arises when, after benefits have been interfaced for a given month, the parent is found to be eligible for payment for an additional child; usually this child is a newborn or has returned to the home from another living arrangement, typically foster care. Another instance occurs when a SSI parent who has been receiving CTS is found to be eligible for SSI for a previous time period. CTS benefits for this previous time period must be manually authorized by the local agency worker.

When manual benefit authorization is required, local agency workers complete and fax DDES form 2564 (See Appendix D, Forms and Publications) to the SSI program. The SSI program insures that the benefit is included with the SSI parent's next scheduled SSI payment.

Detailed instructions are available to guide local

agency workers in identifying situations where manual authorization for CTS benefits is required. See Appendix D, Forms and Publications, *CTS : Running With Dates Desk Aid*, for more information.

Backdating Eligibility

In limited circumstances, local agency workers may use CARES to determine eligibility and electronically interface CTS benefits for previous time periods.

The most common instance of backdating occurs when, even after a grace month, the parent has not complied with review requirements and the CTS assistance in a CARES case has closed. The worker may reopen the CTS assistance in this case if the parent requests CTS and complies with requirements within the first month the CTS assistance is closed in CARES.

Another common instance of backdating occurs when a parent with an open CARES case is unexpectedly awarded SSI eligibility to a month earlier than the present month. In this case, the local agency worker may adjust dates in CARES to allow the initial CTS eligibility begin with the first month of SSI eligibility (assuming all CTS criteria were also met by the assistance group). However, backdating to the SSI start date is allowed only when the assistance group has been an open assistance case in CARES for the entire period of backdating. In this case the month of “application for assistance” is considered to be the application date of the most recent continuously open case in CARES.

Under not circumstances may CTS benefits be paid for a month during which the assistance group was not an open case in the CARES system.

Recoupment of Incorrect Benefits

Occasionally CTS benefits are overpaid. This most often occurs when, in retrospect, it is determined that a SSI parent was ineligible for CTS because his or her child(ren) was out of the home, the child received SSI for the month in question, the parent’s SSI eligibility was retroactively denied by the Social Security Administration, or the parent provided fraudulent information that lead to CTS eligibility.

Since CTS benefits are paid as part of the parent's SSI benefit payment, the SSI program must be the entity that recoups overpaid benefits. The CARES system is not used to track benefit recovery. However, the local agency worker must determine when an overpayment has occurred and complete and fax DDES form 2565, Authorization for Recoupment of Caretaker Supplement (CTS) to the SSI program.

The SSI program will establish a recoupment account on the parent's SSI file and send notice of the overpayment to the SSI parent. This notice will include the following information:

1. Amount by month overpaid
2. Recoupment schedule
3. Appeal rights and procedures

State statute permits the SSI program to collect 10 percent of each future SSI payment (which may include CTS benefits) until an overpayment is repaid. SSI parents may repay the entire amount owed in a single payment, or negotiate with the SSI program for a payment schedule that is higher than 10 percent per month.

See Appendix 1, State Statutes and Codes, HFS 79 for exact statutory language enabling DHFS to recoup CTS and SSI overpayments.

Voluntary repayments of CTS overpayments may be addressed to DHFS, State SSI Program, P.O. Box 6680, Madison, WI 53716-0680.

Eligibility Review

Eligibility for CTS must be reviewed and reconfirmed every six months. The local agency worker is responsible for this process. The CARES system will automatically identify when a CTS case needs review and will trigger notice of the impending review for the worker and SSI parent. Reviews may be face-to-face, by phone or by mail and the signature of the SSI parent on any review documents does not need to be witnessed. Every SSI parent is granted one *grace* month of eligibility before a CTS case will close due to lack of an eligibility review.

Notices

Any SSI parent who applies for CTS must be notified about the status of his or her application (approved, denied, or pending the receipt of additional information), in writing, within 30 days of application for benefits. Ten days notice must be given to SSI parents when any action or event occurs that will adversely affect their ongoing CTS benefits. These notices must cite applicable statute, include reason for any adverse action and state the benefit month and amount granted. Notices must also identify the responsible local agency worker, provide contact information, and identify appeal rights and mechanisms.

Generally, the CARES system will electronically produce and mail notices appropriate to each activity, i.e., eligibility, review, verification required, change in benefits. Workers can view these system-generated notices by logging into the CARES system. However, when a worker has undertaken a manual eligibility determination or made a case change for CTS, notices must be created manually, also. Manual notices must contain all of the elements required included in CARES system-generated notices.

Rights and Responsibilities

CTS applicants and recipients are afforded specific rights and assigned specific responsibilities. These numerous right and responsibilities are made known to applicants and recipients at the time of application, review, adverse action and notice of overpayment. They are enumerated on the CTS application form, DDE-2571.

Fair Hearing

CTS applicants who are denied CTS eligibility and ongoing CTS recipients who are given notice of adverse action (benefit reduction, termination or overpayment and recoupment) have a right to a fair hearing regarding the agency action. The right to a fair hearing and hearing procedures are specified in ss. Ch. 227, Administrative Procedure and Review. This lengthy statutory language may be referenced at <http://www.legis.state.wi.us/./rsb/stats.html>.

Requests for hearing are addressed to the Department

of Administration, Division of Hearings and Appeals, P.O. Box 7875, Madison, Wisconsin 53707-7875. The Division of Hearings and Appeals (DHA) will arrange for a hearing examiner to hear the appeal at the local agency office or by phone. Notice of the place and time for the hearing and the hearing decision will be sent to the SSI parent, his or her representative, the local agency, and the SSI program. In some instances the DHA will order continuation of CTS benefits pending the outcome of a hearing. When this occurs, the local agency worker is responsible for assuring that benefits continue. When benefits have continued and the decision of the hearing examiner is not in the SSI parent's favor, the parent is responsible for repaying any benefits for which he or she was not entitled.